

Plaintiff Brian Keith Alford (“Alford”), through counsel, respectfully files this Motion for Extension of Time to serve Defendants Lawrence M. Porter and Robert L. Zilles with a copy of the complaint pursuant to Fed. R. Civ. P. 6(B)(1). In support of the instant Motion, Alford states as follows:

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Cir. 1994)). Service of a complaint must be made within 90 days of the filing of a complaint. Fed. R. Civ. P. 4(m). A court may extend time for good cause. Fed. R. Civ. P. 6(b)(1).

“What may a court do if the plaintiff does not show good cause for the deficient service? [The United States Court of Appeal for the Sixth Circuit] have explained that Rule 4 permits the district court discretion to either allow late service or dismiss the case without prejudice.” *Savoie v. City of E. Lansing*, No. 21-2684, 2022 U.S. App. LEXIS 23854, at \*6 (6th Cir. Aug. 24, 2022). “Good cause is a flexible standard heavily dependent on the facts of the particular case as found and weighed by the district court in its equitable discretion.” *United States v. Trujillo-Molina*, 678 F. App’x 335, 338 (6th Cir. 2017) (citing *United States v. Walden*, 625 F.3d 961, 965 (6th Cir. 2010)). Alford’s new counsel appeared on October 3, 2024. Less than two business days after appearing on Alford’s behalf, Alford moves for the instant extension. Alford asserts that the diligence he has exercised to discover the addresses of the remaining defendants since acquiring new counsel constitutes good cause for this Court to grant the instant motion.

### **CONCLUSION**

This Court should grant the instant Motion for good cause shown and permit Alford thirty (“30”) days to serve defendants Lawrence M. Porter and Robert L. Zilles.

Dated: October 7, 2024

Respectfully submitted,



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*Attorney for Plaintiff, Brian Keith Alford*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by Electronic Filing (CM/ECF) on October 7, 2024, on all counsel or parties of record on the service list below.



Joseph Sobecki

**SERVICE LIST**

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